

PHILLIP A. TALBERT  
United States Attorney  
ADRIAN T. KINSELLA  
Assistant United States Attorney  
501 I Street, Suite 10-100  
Sacramento, CA 95814  
Telephone: (916) 554-2700  
Facsimile: (916) 554-2900

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ROBERT GODINEZ,  
  
Defendant.

CASE NO. 2:23-CR-0161-DAD

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

COURT: Hon. Dale A. Drozd  
TIME: 9:30 AM

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was previously set for status conference on August 29, 2023, before the Honorable John A. Mendez. ECF No. 8. Time has already been excluded until this date.

2. On July 13, 2023, the August 29 status hearing was vacated and the case was reassigned to the Honorable Dale A. Drozd. ECF No. 12.

3. By this stipulation, defendant now moves to set a status conference on September 26, 2023, and to exclude time between August 29, 2023, and September 26, 2023, under Local Code T4.

4. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case

1 includes over 70 gigabytes of evidence in electronic form, including criminal history documents,  
2 phone intercepts and other evidence from multiple Title III wiretaps, and search warrants. Much  
3 of this discovery is in the Spanish language. All of this discovery is in the process of being  
4 produced directly to counsel and has been made available for inspection and copying.  
5 Additional discovery is forthcoming.

6 b) Counsel for defendant desires additional time to consult with his client, review the  
7 current charges, to conduct research and investigation related to the charges, to review and copy  
8 discovery for this matter, to discuss potential resolutions with his client, to prepare pretrial  
9 motions, and to otherwise prepare for trial.

10 c) Counsel for defendant believes that failure to grant the above-requested  
11 continuance would deny him the reasonable time necessary for effective preparation, taking into  
12 account the exercise of due diligence.

13 d) The government does not object to the continuance.

14 e) Based on the above-stated findings, the ends of justice served by continuing the  
15 case as requested outweigh the interest of the public and the defendant in a trial within the  
16 original date prescribed by the Speedy Trial Act.

17 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
18 et seq., within which trial must commence, the time period of August 29, 2023 to September 26,  
19 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
20 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
21 of the Court's finding that the ends of justice served by taking such action outweigh the best  
22 interest of the public and the defendant in a speedy trial.

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5. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 21, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ ADRIAN T. KINSELLA  
ADRIAN T. KINSELLA  
Assistant United States Attorney

Dated: August 21, 2023

/s/ JESSE J. GARCIA  
JESSE J. GARCIA  
Counsel for Defendant  
ROBERT GODINEZ

**ORDER**

Pursuant to the stipulation of the parties, this case is now set for status conference before the undersigned on September 26, 2023, at 9:30 a.m. and time is excluded between August 29, 2023, and September 26, 2023, under Local Code T4.

IT IS SO ORDERED.

Dated: August 22, 2023

Dale A. Drogel  
UNITED STATES DISTRICT JUDGE